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June 19, 2012

By ECF

The Honorable E. Thomas Boyle
United States Magistrate Judge
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: Securities and Exchange Commission v. Callahan, et al.,
Civil Docket No. 12-1065 (ADS)(ETB)

Dear Magistrate Judge Boyle:

I represent defendants Adam Manson, Distinctive Investments LLC and Distinctive Ventures LLC in the above-referenced case. I submit this letter with the consent of all parties in the case as a request that the initial scheduling conference, set for July 11, 2012, be rescheduled for the week of September 10, 2012. This is the first request for an adjournment of the initial conference.

On March 5, 2012, Plaintiff Securities and Exchange Commission ("SEC") filed the initial complaint in this case naming Brian Raymond Callahan, Horizon Global Advisors Ltd. and Horizon Global Advisors LLC as defendants. The Court scheduled the initial conference for July 11, 2012, based on that complaint. Subsequently, on May 31, 2012, the SEC amended the complaint to name new defendants, including the person and the two entities whom I represent. On or about June 8, 2012, I waived service of the summons on behalf of my clients. My clients have until August 7, 2012, to answer or otherwise move in response in the complaint.

Given the SEC's recent amendment of the complaint to name new defendants, the parties agree that the efficiency of the matter is best served by rescheduling the initial conference for the week of September 10, 2012, so that all parties can participate in the conference and be bound by the same schedule. I am advised by the lawyers in the case that they are all available any day that week except for September 13, 2012. Counsel express a preference that the conference be scheduled for a morning that week.

Further, I have been advised by the United States Attorney's office that it intends to intervene in this case and stay discovery until the completion of a current criminal investigation which involves the same subject matter of this case. While the parties will be prepared to proceed with a rescheduled initial conference in September and abide by the schedule then set unless and until any stay of discovery is sought and granted by the Court, I believe it appropriate that the Court be aware of the government's prospective position.

Thus, to accommodate the entry of new counsel in the case occasioned by the SEC's recently-filed amended complaint, I request with the consent of all parties that the initial conference be rescheduled for the week of September 10, 2012, but not September 13, 2012, with a preference for a time in the morning.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Frisch', with a horizontal line extending from the end.

Andrew J. Frisch

cc: All Counsel